

**Response Under 37 C.F.R. 1.116**

Applicant: Daniel J. Zillig et al.

Serial No.: 10/622,973

Filed: July 18, 2003

Docket No.: M120,143,101/58067US002

Title: CLEANING WIPE AND METHOD OF MANUFACTURE

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**REMARKS**

This is responsive to the Final Office Action mailed November 28, 2006. In that Office Action, the Examiner rejected claims 1-10, 17-24, 47, and 49 under 35 U.S.C. §102(b) as being anticipated by Willman et al., U.S. Publication No. 2002/0042962 (“Willman”); claims 12-14 were rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative under 35 U.S.C. §103(a) as being obvious over, Willman; claims 1-10, 17-24, 47, and 49 were rejected under 35 U.S.C. §103(a) as being unpatentable over Reiterer et al., European Publication No. 0829222 (“Reiterer”) in view of Willman; claims 12-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Reiterer in view of Willman, and further in view of Truong et al., European Publication No. 1238621 (“Truong”); claims 15, 16, 25-36, 51, and 52 were rejected under 35 U.S.C. §103(a) as being unpatentable over Reiterer in view of Willman and Truong, and further in view of Tanaka et al., European Publication No. 0822093 (“Tanaka”).

With this Response, the claims have not been amended. Claims 1-10, 12-36, 47, 49, and 51-52 remain pending in the application, and are presented for reconsideration and allowance.

**35 U.S.C. §§102, 103 Rejections**

In repeating all previous rejections and in response to Applicant’s previous arguments, the Final Office Action agrees at page 8 that Willman teaches “application of adhesive following formation of the fibrous sheet.” The Final Office Action further states at page 8 that “Willman explicitly teaches the *impregnation* of the polymer additive and makes mention several times that it is important that the outer surface of the fibrous sheet not become too sticky” (emphasis supplied); and that “application of additives to the fibrous sheet results in at least a substantial amount of the additive at points that are ‘inside’ the sheet structure.” While Willman may support the above statements, Willman does not support the Final Office Action’s conclusion at page 8 that these statements teach “the intermediated region of the fiber web would contain more adhesive as compared to the working surface.” Willman does not include any such statement. The apparent reliance in the Office Action on the term “impregnated” (as otherwise indicated by use of an italicized font in the Office Action) as somehow inherently disclosing an “intermediate

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region having more adhesive as compared to the working surface" is not understood. "Impregnated" is defined as "to cause to be filled, imbued, permeated, or saturated; to permeate thoroughly." (*Miriam-Webster's Online Dictionary*). Nothing in Willman even indicates a different usage of this term; thus, Willman is limited to first completely forming the fibrous web, followed by application of the polymeric adhesive (e.g., *Willman*, paragraphs 70, 165, 167, 180-184 where Willman consistently describes the polymeric additive being applied onto the fiber sheet). In the context of an "impregnated" sheet, then, Willman is limited to application of the polymeric adhesive to an exterior of a completed fiber cleaning sheet (or fiber web), followed by saturation or thorough permeation of the adhesive through a thickness the completed fiber web. Thus, Willman cannot be viewed as teaching the cleaning wipe of claim 1 and in particular a tacky material impregnated at a level that is greater in an intermediate region of the fiber web as compared to the working surface. At best, Willman may disclose a tacky material level that is uniform through a thickness of the fiber web (i.e., where the fiber web is fully saturated with tacky material); in all other instances of Willman, the level of tacky material must be greater at the working surface as compared to the intermediate region of the fiber web. This is in direct contrast to the limitations of claim 1.

In light of the above explanation, it is respectfully requested that the rejection of claim 1 based on Willman be withdrawn. Similar distinctions exist with respect to the rejection of claim 1 over Reiterer in view of Willman, such that this rejection should also be withdrawn.

Claims 2-10, 17-24, 47, and 49 each depend from claim 1. As previously described, claim 1 is allowable over Willman alone, and Reiterer in view of Willman. Thus, claims 2-10, 17-24, 47, and 49 are similarly allowable.

With respect to the rejection of independent claim 25, the Final Office Action states at page 10 (paragraph 14) that the "Examiner has relied upon the teaching of Truong to set forth acceptable Drag Values for cleaning implements" in concluding that a requisite motivation to combine Reiterer/Willman in view of Truong, Applicant respectfully asserts that a proper analysis under §103 requires consideration of the prior art references as a whole. MPEP §2141.02. Viewing Truong as whole, the disclosed Drag Values have no meaning or

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applicability to cleaning wipe constructions having an exposed tacky material surface. None of the web samples reported upon in paragraph 58 had an exposed tacky surface, let alone the tacky material levels of claim 25; nothing in Truong informs one of skill on how to make a tacky material cleaning wipe satisfying the Drag Value limitations of claim 25. Even further, nothing in Truong supports the Final Office Action's conclusion that the "appropriate Drag Values [of Truong] permit effective cleaning while not adversely affecting the user or the surface being cleaned." Truong makes no correlation between Drag Value and "effective cleaning." In short, Truong does not provide an enabling disclosure sufficient to modify Reiterer/Willman with a reasonable expectation of success in producing the invention of claim 25. MPEP §§ 2121; 2143.02. At best, one of skill upon viewing Truong as a whole, as well as Reiterer/Willman, and seeking to create a "cleaning implement [that] provides appropriate Drag Values," would be motivated to remove the tacky material as done in Truong. As such, a requisite suggestion to combine does not exist, and claim 25 is allowable over the cited references.

Claims 26-36, 51, and 52 depend from claim 25 and thus, for at least the reasons above, are allowable over the cited references. In addition, it is respectfully submitted that for at least the reasons provided above with respect to claim 1, at least claims 32-34, 51, and 52 recite additionally allowable subject matter not otherwise taught or suggested by any of the cited references.

For purposes of appeal, all previously presented arguments regarding the repeated rejections are incorporated herein by reference.

**CONCLUSION**

In view of the above, the Applicant respectfully submits that pending claims 1-36, 47, 49, 51, and 52 are in a condition for allowance. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-36, 47, 49, 51, and 52 are respectfully requested.

No fees are required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 50-0471.

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The Examiner is invited to telephone the Applicant's representative at the below-listed numbers to facilitate prosecution of this application. Any inquiry regarding this Response should be directed to Timothy A. Czaja at Telephone No. (612) 573-2004, Facsimile No. (612) 573-2005 or Daniel D. Biesterveld at Telephone No. (651) 737-2193, Facsimile No. (651) 736-7586. In addition, all correspondence should continue to be directed to the following address:

**3M Innovative Properties Company**  
PO Box 33427  
St. Paul, MN 55133-3427

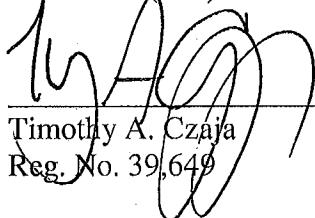
Respectfully submitted,

Daniel J. Zillig et al.,

By their attorneys,

DICKE, BILLIG & CZAJA, PLLC  
Fifth Street Towers, Suite 2250  
100 South Fifth Street  
Minneapolis, MN 55402  
Telephone: (612) 573-2004  
Facsimile: (612) 573-2005

Date: January 29, 2007  
TAC:jmc

  
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Timothy A. Czaja  
Reg. No. 39,649